

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

KATHY STEELE, ADMINISTRATOR of the
ESTATE OF ROBERT DAVID STEELE, *et al.*,
Plaintiffs,

v.

Civil Action No. 3:21cv573

JASON GOODMAN,
Defendant.

ORDER

This matter comes before the Court on its own initiative. On May 5, 2023, the defendant, Jason Goodman, filed a notice of interlocutory appeal. Goodman appealed this Court's Memorandum Order denying Goodman's motion for summary judgment with the Fourth Circuit. (See ECF Nos. 85, 90.) That same day, the Court acknowledged that the Fourth Circuit now has jurisdiction over this case. (ECF No. 92, at 2.)

On May 10, 2023, the plaintiffs filed a motion to dismiss Goodman's appeal at the Fourth Circuit. Goodman must respond to their motion on or before May 19, 2023. Accordingly, the Court CANCELS the final pretrial conference scheduled for May 18, 2023. The Court will preserve the current trial date, so that if the Fourth Circuit grants the plaintiffs' motion, the case can proceed in a timely manner. If the Fourth Circuit denies the plaintiffs' motion or is unable to rule on it in time to proceed with trial, this Court will reschedule the trial after the Fourth Circuit resolves the appeal.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record and to the *pro se* defendant.

Date: 15 May 2023
Richmond, VA

/s/
John A. Gibney, Jr.
Senior United States District Judge